

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jun 02, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEREK JONES,

Plaintiff,

v.

SPOKANE COUNTY JAIL and
WASHINGTON STATE

Defendants.

NO: 2:19-CV-365-RMP

ORDER OF DISMISSAL WITHOUT
PREJUDICE

By Order filed March 31, 2020, the Court directed Plaintiff Derek Jones to show cause why his application to proceed *in forma pauperis* should not be denied and this action dismissed for noncompliance with 28 U.S.C. § 1915(a)(2). ECF No. 6. Plaintiff filed this civil action while incarcerated at Spokane County Detention Services. ECF No. 1.

By letter dated October 24, 2019, the District Court Clerk directed Plaintiff to provide a certified copy of his trust fund account statement (or institutional equivalent) for the six months immediately preceding the filing of the complaint. ECF No. 4. This letter was returned as undeliverable on November 5, 2019. ECF

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1 No. 5. The Order issued on March 31, 2020, was also returned as undeliverable.
2 ECF No. 7.

3 The Court may dismiss an action if mail directed to a *pro se* plaintiff has
4 been returned by the Postal Service and the plaintiff fails to notify the Court and
5 opposing parties within sixty (60) days thereafter of his current mailing address.
6 LCivR 41(b)(2). The Court has an interest in managing its docket and in the
7 prompt resolution of civil matters. *See Destifino v. Reiswig*, 630 F.3d 952, 959
8 (9th Cir. 2011) (affirming district court's inherent power to control its docket); *see*
9 *also Pagtalunan v. Galaza*, 291 F.3d 639, 642–44 (9th Cir. 2002) (discussing
10 factors to consider in dismissing claims for failure to prosecute or comply with
11 court order, including public's interest in expeditious resolution, court's need to
12 manage docket, and risk of prejudice to defendants).

13 Plaintiff has not kept the Court apprised of his current address and has filed
14 nothing further in this action. More than sixty (60) days have elapsed since
15 Plaintiff's mail was returned to this Court as undeliverable. Accordingly, the
16 Court is empowered to dismiss Plaintiff's case for failure to keep the Court advised
17 of his current mailing address. LCivR 41(b)(2).

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